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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHALONER SAINTILLUS,

Defendant.

CASE NO. 2:20-CR-00213-KJM

UNITED STATES' REQUEST FOR
AUTHORIZATION TO DISCLOSE PRETRIAL
SERVICES REPORTS

The United States of America (the "government") respectfully requests that the Court authorize it to disclose pretrial services reports to mental health professionals evaluating the defendant's competency.

I. FACTUAL BACKGROUND

On June 25, 2021, the Court ordered that defendant Chaloner Saintillus (who refers to himself as Shalam Ali El Bey) undergo an evaluation to determine his ability to understand the nature and circumstances of the proceedings against him and to assist in his defense. ECF No. 40. The Federal Bureau of Prisons ("BOP") designated Saintillus to undergo this evaluation at its Metropolitan Detention Center – Los Angeles facility ("MDC-LA").

Staff from MDC-LA contacted an attorney for the government shortly following Saintillus's designation, requesting that the government provide its examiners with relevant information regarding Saintillus's conduct that would assist them in evaluating his competency. BOP staff specifically requested, if available, access to any pretrial services reports prepared in this case.

II. LEGAL STANDARD

Generally, “information obtained in the course of performing pretrial services functions in relation to a particular accused shall be used only for the purposes of a bail determination and shall otherwise be confidential.” 18 U.S.C. § 3153(c)(1). However, upon a showing of good cause, a court may authorize disclosure of pretrial services information. L.R. 460(b). A request for authorization to disclose a pretrial services report must be in writing and “establish[] with particularity the need for specific information in the records.” L.R. 460(b).

III. GOVERNMENT REQUESTS

The government requests that the Court authorize it to disclose to MDC-LA mental health examiners the following pretrial services documents.

A. Initial Report Dated November 3, 2020.

The earliest pretrial services report in this case was prepared in November 2020, for use by the United States District Court for the Southern District of Florida during Saintillus’s initial appearance there following his arrest. The report contains information disclosed by Saintillus during an interview with a pretrial services officer that occurred on or around October 28, 2020. It also contains a detailed narrative discussion of Saintillus’s criminal history, including descriptions of the circumstances leading to numerous contacts between Saintillus and law enforcement.

Good cause exists to release this report because it is the only place where Saintillus’s statements to the pretrial services officer are memorialized. This report also contains narrative summaries prepared by the pretrial services officer of the circumstances surrounding Saintillus’s contacts with law enforcement. Obtaining duplicative narratives from the actual law enforcement agencies that interacted with Saintillus would undermine their utility to MDC-LA evaluators, because it is unlikely such narratives could be provided to MDC-LA within the limited timeframe allotted for conducting the evaluation. *See* 18 U.S.C. § 4247(b) (setting forth a maximum of forty-five days in which a competency evaluation under § 4241 must be completed).

B. Supplemental Report Dated March 26, 2021.

A pretrial services officer in the Eastern District of California prepared a supplemental pretrial services report on March 26, 2021, prior to a detention hearing in this case. The report contains a

1 written summary of new information provided by Saintillus to the pretrial services officer who prepared
2 the report. As such, good cause exists to order this report's release because the information it contains is
3 not available or memorialized elsewhere.

4 **C. Supplemental Report Dated April 23, 2021.**

5 A pretrial services officer in the Eastern District of California prepared a supplemental pretrial
6 services report on April 23, 2021, prior to a bail review hearing in this case. The report contains a
7 written summary of new information provided by Saintillus's family to the pretrial services officer who
8 prepared the report. As such, good cause exists to order this report's release because the information it
9 contains is not available or memorialized elsewhere.

10 **IV. CONCLUSION**

11 The government respectfully requests that the Court grant the government's request to release
12 pretrial services reports to mental health examiners at MDC-LA. Providing these reports to MDC-LA
13 examiners will help ensure that they can appropriately evaluate Saintillus's competency in a timely
14 fashion. On June 30, 2021, the government confirmed with defense counsel that she has no objection to
15 this disclosure request.

16 A proposed order authorizing release of the requested documents follows this written request.

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18 Dated: June 30, 2021

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20 By: /s/ SAM STEFANKI
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9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 CHALONER SAINTILLUS,
14 Defendant.

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[PROPOSED] ORDER AUTHORIZING LIMITED
DISCLOSURE OF PRETRIAL SERVICES
REPORTS

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17 On June 25, 2021, the Court ordered that defendant Chaloner Saintillus (who refers to himself as
18 Shalam Ali El Bey) undergo an evaluation to determine his ability to understand the nature and
19 circumstances of the proceedings against him and to assist in his defense. ECF No. 40. On June 30,
20 2021, the government filed a written request for authorization to disclose to Mr. Bey's evaluators copies
21 of three pretrial services reports previously prepared in this case. ECF No. 44.

22 For the reasons set forth in the government's written request, and for good cause shown, the
23 Court hereby GRANTS the government's request. The government is authorized to disclose to mental
24 health evaluators at the Metropolitan Detention Center – Los Angeles facility the pretrial services
25 reports in this matter dated November 3, 2020; March 26, 2021; and April 23, 2021.

26 IT IS FURTHER ORDERED that disclosure of these pretrial services reports is authorized solely
27 for the purpose of assisting evaluators in conducting the examination previously ordered by the Court.
28 See ECF No. 40.

1 IT IS FURTHER ORDERED that mental health evaluators given access to the pretrial services
2 reports shall destroy the reports upon conclusion of their evaluation of Mr. Bey's competency.

3 IT IS SO ORDERED.

4 DATED: _____, 2021.

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THE HONORABLE KIMBERLY J. MUELLER
7 Chief United States District Judge
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